



Secretary of State
Department of Archives and History
330 Capitol Avenue, S.E.
Atlanta, Georgia 30334
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SECRETARY OF STATE

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Records Retention Schedule Approval Page

Schedule Number: 1973-0411-04
Effective Date: September 24, 2001
Record Series Title: Real Property Transactions
Retention Requirement: Temporary Records. Retain twenty (20) years.

The above retention period is consistent with the requirement of the Georgia Records Act (O.C.G.A. §50-18-90 et seq).

Recommended by: Andrew S. Taylor 9-24-01
Andrew S. Taylor, Assistant Director for Records Management Date

The SRC approves this recommended retention period for the named records series.

Signed: David W. Carmicheal 10/2/01
David W. Carmicheal, Secretary of State Designee Date



Department of Law
State of Georgia

THURBERT E. BAKER
ATTORNEY GENERAL

40 CAPITOL SQUARE SW
ATLANTA, GA 30334-1300

Date: August 23, 2001

TO: Andy Taylor
Office of Secretary of State
Department of Archives & History
330 Capitol Avenue, S.E.
Atlanta, Georgia 30334

RE: Amendment to Records Retention Schedule 73-411A.
Approved June 7, 1983.
Records Series Title: Real Property Transactions

Please change the retention schedule from permanent to 20 years total retention. These files will be held 6 months in the current files area then transferred to a local holding area for 1 year. After that time they will be sent to the State Records Center located at 1050 Murphy Avenue, SW, Atlanta, Georgia for the remaining 18 1/2 years.

Thank you,

Dan M. Formby
Deputy Attorney General

Ray O. Lerer
Senior Assistant Attorney General

Arlene L. McCall
Records Management Officer
State Law Department



APPLICATION FOR RECORDS RETENTION SCHEDULE

OFFICE OF THE SECRETARY OF STATE
DEPARTMENT OF ARCHIVES AND HISTORY
RECORDS MANAGEMENT DIVISION

INSTRUCTIONS: See Publication No. 76-RM-1 for instructions on completing this form. Forward signed original to Department of Archives and History, Records Management Division, 330 Capitol Avenue, Atlanta, Georgia, 30334, Attention: Scheduling Section.

FOR AGENCY USE		FOR RECORDS MANAGEMENT USE	
Application Date 5/20/83	1. Agency Address State Law Dept. - Division VI 132 Judicial Bldg. 40 Capitol Square Atlanta, GA 30334	Application Number 73-411-A	
Application Number		Date Received MAY 23 1983	Date Completed JUN 7 1983
2. Person to Contact Fran Goldin		Working Title Division Head Secretary	Telephone Number 656-3380
3. Action Requested a. <input type="checkbox"/> Establish Retention Schedule; record will continue to accumulate. b. <input type="checkbox"/> Dispose of present accumulation; no further accumulation anticipated. c. <input checked="" type="checkbox"/> Amend Application No. 73-411-A Check One: <input checked="" type="checkbox"/> Change; <input type="checkbox"/> Supersede; <input type="checkbox"/> Void			
4. Dates of Series Earliest 1964 Latest Current		5. Records Series Title (followed by title used in office, if different) REAL PROPERTY DIVISION STATE REAL PROPERTY TRANSACTIONS	
6. Division and Office Function What is the function of the Division and the Office in which this record series is created? The Real Property Division is responsible for the representation of the State of Georgia, and most of the State Authorities, in its and their many, varied, lengthy and complex real property transactions. In carrying out this responsibility, the Division passes upon the legal sufficiency of the various legal aspects of the real property transactions which involve or affect State agencies, departments, divisions, commissions, boards, bureaus, retirement systems, authorities and other arms of State government. The Division also has responsibility for the negotiation, preparation and implementation of a myriad of legal documents including contracts, deeds, easements, licenses, leases and rental agreements. Real property is unique - there are no two tracts or parcels that are exactly alike. Therefore, each real property transaction is unique. In that the State and the Authorities, over the course of years, do so many different "things" with the same tract or parcel of land (e.g., contract for and buy the property, (see continuation on attached page)			
7. Record Series Description This file contains the following documents (include form numbers and titles, if any): Attach samples of the file. Documents relating to: each real property transaction. Included are: letters, memoranda, notes, nmaes, addresses, telephone numbers, planning, research, strategy, drafts, and a variety of instruments, plats, maps, etc., of varied descriptions. File is arranged: to accommodate the transaction - varies with each transaction.			
8. Monthly Reference Rate How often are records referred to which are: One to six months old 60; Seven to twelve months old 40; Thirteen to twenty-four months old 30; twenty-five months and older 18?			
9. Annual Rate of Accumulation of Records Letter-size drawers; Legal-size drawers; Shelves; Other (specify) 35 boxes per year cu. ft.			

YES	NO	10. Questionnaire (Place an "X" in the proper column)
X		a. Is this the official copy of the series? If not, where is it?
X		b. Does the series contain confidential information requiring security handling? If yes, cite law or regulation.
X		c. Is this a vital record?
X		d. Does this series have historical or long term research value?
	X	e. When one or two documents in the file make it necessary to keep the entire file for a long period, could these documents be scheduled separately?
	X	f. Is the information contained in this series ever published? If yes, attach copy.
	X	g. Is the information contained in this series ever analyzed and/or recorded in a summarized report? If yes, attach copy.
	X	h. Is there a duplication of this series in your office, or in another office or agency? If yes, where?
	X	i. Is this series (or a major portion of it) regularly microfilmed?
	X	j. Does the record series result in a computer printout?

11. Retention Requirements

The following requires the series to be kept:

- | | | | |
|--------------------------|--------------|-----------------------------------|---------------------------|
| a. State Law | _____ years. | d. Audit period | _____ years. |
| b. Statute of limitation | _____ years. | e. Administrative need | <u>permanently</u> years. |
| c. Federal law | _____ years. | f. Federal retention instructions | _____ years. |

Attach copy or excerpt of laws or regulations. Explain administrative need.

See answer to 6 above. (Attached Sheet)

12. Approved Disposition Instructions

This agency recommends that the file series be cut off at the end of each:

☒ Calendar Year; ☐ Fiscal Year; ☐ Other _____ then,

- ☒ Hold in the current files area 6 month(s) _____ year(s); then
- ☒ Transfer to local holding area; hold 1 year(s); then
- ☐ Transfer to State Records Center; hold _____ year(s); then
- ☐ Destroy.
- ☒ Transfer to State Archives for permanent retention.
- ☐ Other (Specify)

These instructions apply to all prior and future accumulations of the series.

Agency Head/Designee (Signature)	Date	Records Management Officer (Signature)	Date
<i>J. Robert Coleman</i>	5-19-83	<i>Anna L. Strickland</i>	5-20-83
State Records Committee (Signature) Date			
State Auditor/Designee		<i>Edward Weldon</i>	6-6-83
Secretary of State/Designee		<i>Edward Weldon</i>	6/6/83
Attorney General/Designee		<i>David R. ...</i>	5-20-83

Recommendations in paragraph 12 are approved.
(If disapproved, attach letter of explanation.)

APPLICATION FOR RECORDS RETENTION SCHEDULE

6. Division and Office Function (Continued) later negotiate for the installation thereon of utilities, later build a building on the property, later lease the building, later litigate the lease and still later sell the property) the 5 "Ws" (who, what, when, where and why) are very important in every real property transaction and the Division files are accordingly documented. It is just as important "why" something was done as "what" was done. All of this must be permanently preserved in the Division files and later called upon for further study and evaluation when the next transaction is planned, prepared and implemented. Without accurately knowing what was done in the past and why it is risky and dangerous to give advice on a present transaction or to plan and implement a future real property transaction. The data in the Division files must be permanently preserved and available on quick recall and retrieval.



APPLICATION FOR RECORDS RETENTION SCHEDULE

OFFICE OF THE SECRETARY OF STATE
DEPARTMENT OF ARCHIVES AND HISTORY
RECORDS MANAGEMENT DIVISION

INSTRUCTIONS: See Publication No. 76-RM-1 for instructions on completing this form. Forward signed original to Department of Archives and History, Records Management Division, 330 Capitol Avenue, Atlanta, Georgia, 30334. Attention: Scheduling Section.

FOR AGENCY USE		FOR RECORDS MANAGEMENT USE	
Application Date April 19, 1982	1. Agency Address Real Property Division State Law Department - DIVISION VI 132 State Judicial Building 40 Capitol Square, S. W. Atlanta, Georgia 30334	Application Number 73-411-A	Date Received MAY 7 1982
Application Number		Date Completed MAY 19 1982	
2. Person to Contact Fran Goldin		Working Title Division Head Secretary	
		Telephone Number 656-3381	
3. Action Requested			
a. <input checked="" type="checkbox"/> Establish Retention Schedule; record will continue to accumulate.			
b. <input type="checkbox"/> Dispose of present accumulation; no further accumulation anticipated.			
c. <input checked="" type="checkbox"/> Amend Application No. 73-411 Check One: <input checked="" type="checkbox"/> Change; <input checked="" type="checkbox"/> Supersede; <input type="checkbox"/> Void			
4. Dates of Series Initial Earliest 1964		Records Series Title (followed by title used in office, if different) Latest PRESENT REAL PROPERTY DIVISION STATE REAL PROPERTY TRANSACTIONS	
6. Division and Office Function What is the function of the Division and the Office in which this record series is created? The Real Property Division is responsible for the representation of the State of Georgia, and most of the State Authorities, in its and their many, varied, lengthy and complex real property transactions. In carrying out this responsibility, the Division passes upon the legal sufficiency of the various legal aspects of the real property transactions which involve or affect State agencies, departments, divisions, commissions, boards, bureaus, retirement systems, authorities and other arms of State government. The Division also has responsibility for the negotiation, preparation and implementation of a myriad of legal documents including contracts, deeds, easements, licenses, leases and rental agreements. Real property is unique - there are no two tracts or parcels that are exactly alike. Therefore, each real property transaction is unique. In that the State and the Authorities, over the course of years, do so many different "things" with the same tract or parcel of land (e.g. contract for and buy the			
7. Record Series Description		This file contains the following documents (include form numbers and titles, if any): (see attached sheet) Attach samples of the file.	
Documents relating to:		each real property transaction.	
Included are: letters, memoranda, notes, names, addresses, telephone numbers, planning, research, strategy, drafts, and a variety of instruments, plats, maps, etc. of varied descriptions.			
File is arranged: to accommodate the transaction - varies with each transaction.			
8. Monthly Reference Rate		How often are records referred to which are:	
One to six months old <u>60</u>		Seven to twelve months old <u>40</u>	
Thirteen to twenty-four months old <u>30</u>		Twenty-five months and older <u>18</u>	
9. Annual Rate of Accumulation of Records		After the initial 15 year (1964-1979) storage (see attached sheet)	
Letter-size drawers		Legal-size drawers	
Shelves		Other (specify) <u>35 boxes per year</u>	

YES	10. Questionnaire (Place an "X" in the proper column)
X	a. Is this the official copy of the series? If not, where is it?
X	b. Does the series contain confidential information requiring security handling? If yes, cite law or regulation.
X	c. Is this a vital record?
X	d. Does this series have historical or long term research value?
X	e. When one or two documents in the file make it necessary to keep the entire file for a long period, could these documents be scheduled separately?
X	f. Is the information contained in this series ever published? If yes, attach copy.
X	g. Is the information contained in this series ever analyzed and/or recorded in a summarized report? If yes, attach copy.
X	h. Is there a duplication of this series in your office, or in another office or agency? If yes, where?
X	i. Is this series (or a major portion of it) regularly microfilmed?
X	j. Does the record series result in a computer printout?

11. Retention Requirements

The following requires the series to be kept:

- | | | | |
|--------------------------|--------------|-----------------------------------|---------------------------|
| a. State Law | _____ years. | d. Audit period | _____ years. |
| b. Statute of limitation | _____ years. | e. Administrative need | permanently, _____ years. |
| c. Federal law | _____ years. | f. Federal retention instructions | _____ years. |

Attach copy or excerpt of laws or regulations. Explain administrative need.

See answer to 6 above

12. Approved Disposition Instructions

This agency recommends that the file series be cut off at the end of each:

☒ Calendar Year; ☐ Fiscal Year; ☐ Other _____ then,

- ☒ Hold in the current files area 6 month(s) _____ year(s); then
- ☒ Transfer to local holding area; hold 2 1/2 year(s); then
- ☐ Transfer to State Records Center; hold _____ year(s); then
- ☐ Destroy.
- ☒ Transfer to State Archives for permanent retention.
- ☐ Other (Specify) _____

These instructions apply to all prior and future accumulations of the series. Yes

Agency Head/Designee (Signature)	Date	Records Management Officer (Signature)	Date
<i>J. Robert Coleman</i>	4-19-82	<i>[Signature]</i>	4-21-82
Recommendations in paragraph 12 are approved. (If disapproved, attach letter of explanation.)		State Records Committee (Signature)	Date
		<i>[Signature]</i>	5-18-82
State Auditor/Designee		<i>[Signature]</i>	5-17-82
Secretary of State/Designee		<i>[Signature]</i>	5-14-82
Attorney General/Designee		<i>[Signature]</i>	

APPLICATION FOR RECORDS RETENTION SCHEDULE

6. Cont'd.

property, later negotiate for the installation thereon of utilities, later build a building on the property, later lease the building, later litigate the lease and still later sell the property) the 5 "Ws" (who, what, when, where and why) are very important in every real property transaction and the Division files are accordingly documented. It is just as important of "why" something was done as "what" was done. All of this must be permanently preserved in the Division files and later called upon for further study and evaluation when the next transaction is planned, prepared and implemented. Without accurately knowing what was done in the past and why it is risky and dangerous to give advice on a present transaction or to plan and implement a future real property transaction. The data in the Division files must be permanently preserved and available on quick recall and retrieval.

8. Cont'd.

in Archives, only transactions which are three years old will be stored in Archives. In 1983 the 1980 transactions will be stored in Archives.



STATE
OF
GEORGIA

313-16
Application for
RECORDS DISPOSITION STANDARD

OFFICE OF SECRETARY OF STATE
DEPARTMENT OF ARCHIVES & HISTORY
RECORDS MANAGEMENT DIVISION

1. Application Date Feb. 16, 1973	INSTRUCTIONS: See separate instructions for completion of front and reverse of this form. Sign original and two copies and forward to Department of Archives and History, Attention: Records Management Officer.	FOR RECORDS MANAGEMENT DIVISION USE	
2. Agency Application No. 6		Date Received JUN 20 1973	Application No. 73-411 Date Completed JUN 26 1973
3. AGENCY, Division, Subdivision & Administering Office Address Law Department Division VI - Real Property Judicial Building Atlanta, Georgia 30334		4. Person to Contact Robert H. Shell	
		5. Working Title Office Manager	6. Tel. No. 656-3328

7. ACTION REQUESTED

- ☒ ESTABLISH DISPOSITION STANDARD;
RECORD WILL CONTINUE TO ACCUMULATE.
- ☐ DISPOSE OF PRESENT ACCUMULATIONS;
NO FURTHER ACCUMULATION ANTICIPATED.

8. Earliest & Latest Dates of Series
1967 to date

9. Exact Series Title
~~Inactive files pertaining to~~ Real property transactions.

10. What is the function of the office in which this record series is created
Passes upon the legal sufficiency of varied aspects of real property transactions involving all State agencies, excluding only acquisitions by the State Department of Transportation for public road, street and highway rights-of-way.

11. This file contains the following documents (include form numbers and titles, if any, and file arrangement):

Documents relating to Real Property Transactions.

Included are: Warranty Deeds, Quitclaim Deeds, Trustee's Deeds, Adm's & Ex's Deeds, Fee Simple Deeds, Limited Warranty Deeds, Easements, Revocable License Agreements, Rental Agreements, Leases, Utility Permits, Various Types of Assignments, Resolutions, By-Laws, Plats of Survey, Title Certificates, Surveyor Certificates, Options to Lease, Options to Purchase, Appraisals, Deeds to Secure Debt, Loan Commitments, Affidavits, Pleadings, Orders and Etc.

The file is arranged by location of property.

ATTACH SAMPLES OF THE FILE

12. EQUIPMENT OCCUPIED	No. of Drawers	Cu. Ft. of Records	ANNUAL RATE OF ACCUMULATION	No. of Drawers Cu. Ft. of Records			
				In Office(s)	In Storage Area(s)		
Letter-size File Drawers			Floor Space Occupied (Square Feet)	18	36		
Legal-size File Drawers	60	120		14	41		
			AVERAGE DAILY REFERENCES	This Year's	Last Year's	Preceding Year's	All Prior Year's
				20	10	5	3

QUESTIONNAIRE Place an "x" in the proper column. If answer is "YES," please explain

YES NO

13. Is this the Record Copy of the series? Some instances yes other instances no. ☒ []
14. Is there a duplication of this series in another office or agency? Some instances yes other instances no. ☒ []
15. Is the information contained in this series ever summarized or published? Attach copy of summary or publication. [] ☒ []
16. Does the series contain classified information requiring security handling? [] ☒ []
17. Does the series initiate, amend or terminate agency policies and procedures? [] ☒ []
18. Could the function be performed if the files were lost or destroyed? But would be extremely difficult if not impossible. ☒ []
19. Is the series (or major portion of it) regularly microfilmed? If yes, why? [] ☒ []
20. Does the record series provide data as input to an EDP file? [] ☒ []
21. Does the record series contain documentation produced as EDP printout? [] ☒ []
22. Has the Federal Government issued instructions governing retention/disposition of these files? [] ☒ []
23. Will there be a need for these records 10, 15 years from now? If yes, what? For future real property transactions involving the same real property. ☒ []

24. REQUIREMENTS. The following requires the files to be kept permanently years:

- a. [] STATE LAW b. [] STATUTE OF LIMITATION c. [] AUDIT PERIOD d. [] FEDERAL LAW e. ☒ ADMINISTRATIVE DECISION f. [] HISTORICAL VALUE
(Cite Law, Statute, or other reason for the retention requirement)

25. AGENCY RECOMMENDATIONS: This agency recommends that the file series be cut off at the end of each

-[] CALENDAR YEAR -[] FISCAL YEAR -☒ Other

then:

[] Hold in the current files area _____ month(s)/ _____ year(s):

[] Transfer to [] State Records Center [] Local Holding Area; hold _____ year(s):

[] Destroy.

[] Transfer to State Archives for permanent retention.

[] Destroy immediately after cut-off.

☒ Other: (Specify) Files are used constantly and should be in permanent (in and out storage near the area of use so that the same are easily and quickly retrievable by staff personnel. Hold in current files area indefinitely.

(Indicate briefly rationale for recommendations above/or write additional remarks):

Attach Samples of the Series

Division Director

26. Recommendations in Paragraph 25 are:	State Records Committee	<input checked="" type="checkbox"/> Approved [] Disapproved		Head of Agency/Designee	Date
		<input checked="" type="checkbox"/> Approved [] Disapproved		Department of Audits/Designee	Date
		<input checked="" type="checkbox"/> Approved [] Disapproved		Secretary of State/Designee	Date
		<input checked="" type="checkbox"/> Approved [] Disapproved		Department of Law/Designee	Date